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October 5, 2017

VIA FACSIMILE (8 Pages)

U.S. District Court for the Western District of New York
Attn: Case Manager Tricia
2120 Kenneth B. Keating Federal Building
100 State Street
Rochester, NY 14614
Fax: (585) 613-4035

**Re: US v. Doron Feldman Docket Numbers 6:15-CR-06016 & 6:14-CR-06092
Second Circuit Docket No. 17-2868**

Dear Tricia:

Attached please find the index of pleadings to be provided to the United States Court of Appeals for the Second Circuit, for the subject Appeal (Second Circuit Docket No. 17-2868).

Thank you for your anticipated assistance in this matter. Please contact me or my paralegal, Renee Bell, if you have any questions.

Sincerely,

Tiffany D. Bell

Enclosures: as stated

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Rochester)
CRIMINAL DOCKET FOR CASE #: 6:14-cr-06092-FPG-1

Case title: USA v. Feldman

Date Filed: 06/25/2014

Date Terminated: 03/03/2015

| Date Filed | # | Docket Text |
|------------|-----------|--|
| 06/24/2014 | <u>2</u> | INFORMATION as to Doron Feldman (1) count(s) 1. (TA) (Entered: 06/25/2014) |
| 06/24/2014 | <u>3</u> | PLEA AGREEMENT as to Doron Feldman (TA) (Entered: 06/25/2014) |
| 06/24/2014 | <u>4</u> | Minute Entry for proceedings held before Hon. Frank P. Geraci, Jr.:Plea Hearing as to Doron Feldman held on 6/24/2014. Defendant waives Indictment and enters a plea guilty to Count 1 of the Information, conspiracy to commit mail fraud. Court reviews provisions of the preliminary order of forfeiture to be issued. Defendant remains released pending Sentencing set for 9/24/2014 03:00 PM before Hon. Frank P. Geraci, Jr. Appearances: J. Field, AUSA; D. Oliverio, counsel with defendant. (Court Reporter CM.)(MC) (Entered: 06/25/2014) |
| 07/01/2014 | <u>6</u> | PRELIMINARY ORDER OF FORFEITURE as to Doron Feldman.. Signed by Hon. Frank P. Geraci, Jr. on 7/1/14.(TA) (Entered: 07/02/2014) |
| 10/27/2014 | <u>10</u> | FINAL ORDER OF FORFEITURE as to Doron Feldman. Signed by Hon. Frank P. Geraci, Jr. on 10/27/14.(TF) (Entered: 10/28/2014) |
| 11/26/2014 | <u>12</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Doron Feldman held on 6/24/14 before Judge Judge Geraci. Court Reporter/Transcriber Christi Macri, email: christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/17/2014. Redacted Transcript Deadline set for 12/29/2014. Release of Transcript Restriction set for 2/24/2015. (TF) (Entered: 11/26/2014) |
| 01/15/2015 | <u>14</u> | MOTION <i>for Non-Guidelines Sentence</i> by Doron Feldman. (Attachments: # <u>1</u> Delaration of Feldman, # <u>2</u> Memorandum in Support)(Oliverio, Daniel) (Entered: 01/15/2015) |
| 02/03/2015 | <u>16</u> | MEMORANDUM/BRIEF <i>Response to Defendant's Objection to the Presentence Investigation Report</i> by USA as to Doron Feldman (Resnick, Richard) (Entered: 02/03/2015) |
| 02/12/2015 | <u>17</u> | STATEMENT WITH RESPECT TO SENTENCING FACTORS by USA as to Doron Feldman (Resnick, Richard) (Entered: 02/12/2015) |

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| 02/19/2015 | <u>18</u> | Minute Entry for proceedings held before Hon. Frank P. Geraci, Jr.: Sentencing held on 2/18/2015 for Doron Feldman. Defendant is sentenced on Count 1 of the Information, conspiracy to commit mail fraud, to 24 months to BOP with a period of 2 years supervised release. Court waives any fine, orders restitution in the amount of \$1,460,000 and imposes a \$100 special assessment fee. Court will allow voluntary surrender and will recommend to the BOP placement in a facility close to the Buffalo area. On Count 1 of the Information which charges defendant with filing a false 2012 tax return, plea and sentence will be entered on case 15-cr-6016, both matters considered a combined conviction. Appearances: R. Resnick, AUSA; D. Oliverio, counsel with defendant; R. Dutta, Esq.; K. Chartier, USPPPO. (Court Reporter CM.)(MC) (Entered: 02/19/2015) |
| 03/03/2015 | <u>19</u> | JUDGMENT as to Doron Feldman (1), Count(s) 1, 24 months to BOP; 2 years supervised release; fine is waived; restitution in the amount of \$1,460,000; \$100 SPA. Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. Signed by Hon. Frank P. Geraci, Jr. on 3/2/15.(JHF) (Entered: 03/03/2015) |
| 03/17/2015 | <u>20</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Doron Feldman held on 2/18/15 before Judge Frank P. Geraci, Jr. Court Reporter/Transcriber Christi A. Macri, email: christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/7/2015. Redacted Transcript Deadline set for 4/17/2015. Release of Transcript Restriction set for 6/15/2015. (JHF) (Entered: 03/17/2015) |
| 11/23/2015 | <u>21</u> | MOTION APPLICATION FOR WRIT OF EXECUTION by USA as to Doron Feldman. (Robinson, Kevin) (Entered: 11/23/2015) |
| 12/03/2015 | <u>22</u> | ORDER granting <u>21</u> Motion for the issuance of a writ of execution as to Doron Feldman (1). Signed by Hon. Frank P. Geraci, Jr. on 12/1/15.(TF) Modified filed date on 12/4/2015 (TF). (Entered: 12/04/2015) |
| 12/04/2015 | <u>23</u> | Clerk's Notice of Post Judgment Garnishment/Instructions to Debtor.(TF) (Entered: 12/04/2015) |
| 12/23/2015 | <u>24</u> | NOTICE OF HEARING as to Doron Feldman: Status Conference re: |

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| | | Writ of Execution is set for 1/13/2016 09:30 AM before Hon. Frank P. Geraci, Jr.(MC) (Entered: 12/23/2015) |
| 01/07/2016 | <u>26</u> | MARSHAL process receipt and return, date of service 12/15/15 (TF) (Entered: 01/07/2016) |
| 01/11/2016 | <u>28</u> | MOTION Stay the Execution and Levy by Doron Feldman. (Attachments: # <u>1</u> Certificate of Service)(Andreozzi, Randall) (Entered: 01/11/2016) |
| 01/13/2016 | 29 | Minute Entry for proceedings held before Hon. Frank P. Geraci, Jr.:Status Conference as to Doron Feldman held on 1/13/2016. Parties appeared via telephone. R. Dutta of Hodgson Russ, LLP confirms D. Oliverio's request to withdraw as counsel for defendant. Court grants <u>27</u> Motion to Withdraw as Attorney. Randall Andreozzi has been retained as new counsel. Discussions regarding restitution funds are held. Court sets further Status Conference for 3/16/2016 02:00 PM before Hon. Frank P. Geraci, Jr. Appearances: K. Robinson, AUSA; R. Andreozzi, counsel for defendant; R. Dutta, Esq. (Court Reporter CM.)(MC) (Entered: 01/14/2016) |
| 03/16/2016 | 32 | Minute Entry for proceedings held before Hon. Frank P. Geraci, Jr.:Status Conference as to Doron Feldman held on 3/16/2016. Parties appear via telephone and discuss issues regarding restitution. Court directs defense counsel's submissions by 5/16/2016 with Government's reply by 5/31/2016. Court sets Oral Argument, if necessary, for 6/13/2016 03:30 PM before Hon. Frank P. Geraci, Jr. Appearances: K. Robinson, AUSA; R. Andreozzi, counsel for defendant (Court Reporter CM.)(MC) (Entered: 03/18/2016) |
| 03/24/2016 | <u>33</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Doron Feldman held on 1/13/16 before Judge Geraci, Jr.. Court Reporter/Transcriber Christi Macri, Telephone number christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/14/2016. Redacted Transcript Deadline set for 4/25/2016. Release of Transcript Restriction set for 6/22/2016. (TF) (Entered: 03/24/2016) |
| 03/24/2016 | <u>34</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Doron Feldman held on 3/16/16 before Judge Geraci, Jr. Court |

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| | | Reporter/Transcriber Christi Macri, Email: christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/14/2016. Redacted Transcript Deadline set for 4/25/2016. Release of Transcript Restriction set for 6/22/2016. (TF) (Entered: 03/24/2016) |
| 04/22/2016 | <u>35</u> | AFFIDAVIT by USA as to Doron Feldman (Carducci, Grace) (Entered: 04/22/2016) |
| 05/16/2016 | <u>36</u> | MEMORANDUM IN SUPPORT re <u>28</u> MOTION Stay the Execution and Levy by Doron Feldman (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K)(Andreozzi, Randall) (Entered: 05/16/2016) |
| 05/20/2016 | <u>37</u> | ORDER as to Doron Feldman granting parties requests (see order for details). Signed by Hon. Frank P. Geraci, Jr. on 5/20/16.(TF) (Entered: 05/20/2016) |
| 06/09/2016 | <u>38</u> | PRESENTENCE INVESTIGATION REPORT (Sealed) as to Doron Feldman. (JHF) (Entered: 06/09/2016) |
| 06/27/2016 | <u>39</u> | ORDER extending time as to Doron Feldman, (Governments Response due by 7/31/2016); Defendant requests an opportunity to reply to governments response and the parties request the Court to schedule a status conference after the reply is filed;. Signed by Hon. Frank P. Geraci, Jr. on 6/27/16.(TF) (Entered: 06/29/2016) |
| 08/01/2016 | <u>40</u> | MEMORANDUM/BRIEF <i>Response of the United States to Debtor's Objection to Writ of Execution</i> by USA as to Doron Feldman (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Robinson, Kevin) (Entered: 08/01/2016) |
| 08/08/2016 | <u>41</u> | TEXT ORDER: By letter dated 8/5/16, Defendant Feldman requests an extension of time to file his reply brief, so that he may first file a discovery motion. The extension request is GRANTED, and the Court will set a deadline for Defendant's reply on the substantive issues after resolving the Defendant's forthcoming discovery motion. Such a discovery motion from the Defendant must be filed by 8/22/16, the government may respond by 9/6/16, and the Defendant may reply by 9/13/16. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on |

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| | | 8/8/16.(SCE) (Entered: 08/08/2016) |
| 08/22/2016 | <u>42</u> | MOTION for Discovery by Doron Feldman. (Attachments: # <u>1</u> Affidavit Andreozzi Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Certificate of Service)(Andreozzi, Randall) (Entered: 08/22/2016) |
| 09/06/2016 | <u>43</u> | RESPONSE to Motion by USA as to Doron Feldman re <u>42</u> MOTION for Discovery <i>RESPONSE OF THE UNITED STATES TO DEFENDANT'S MOTION FOR DISCOVERY</i> (Robinson, Kevin) (Entered: 09/06/2016) |
| 09/13/2016 | <u>44</u> | REPLY TO RESPONSE to Motion by Doron Feldman re <u>42</u> MOTION for Discovery (Attachments: # <u>1</u> Certificate of Service)(Andreozzi, Randall) (Entered: 09/13/2016) |
| 11/17/2016 | <u>45</u> | MEMORANDUM/BRIEF <i>Defendant's Notice of Additional Takings</i> by Doron Feldman (Attachments: # <u>1</u> Certificate of Service)(Andreozzi, Randall) (Entered: 11/17/2016) |
| 07/17/2017 | <u>46</u> | DECISION AND ORDER: Defendant Doron Feldman's motion (ECF No. 28) to vacate the writ of garnishment as premised on an alleged breach of the plea agreement is DENIED, and Feldman's motion (ECF No. 42) for discovery is DENIED. The parties may brief the single remaining issue of whether the Sentinel account is exempt or otherwise protected from the writ of execution, with Feldman's brief due by 7/28/17, and the government's response brief due by 8/4/17. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 7/17/17.(SCE) (Entered: 07/18/2017) |
| 07/26/2017 | <u>47</u> | TEXT ORDER: Doron Feldman's letter request to file a motion for reconsideration re <u>46</u> by August 23, 2017 is GRANTED. However, Feldman's request to adjourn the supplemental briefing schedule outlined in <u>46</u> is DENIED. Feldman's brief regarding the issue of whether the Sentinel account is exempt or otherwise protected from the writ of execution remains due by 7/28/17, and the government's response brief remains due by 8/4/17. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 07/26/2017.(ZS) (Entered: 07/26/2017) |
| 07/28/2017 | <u>48</u> | MEMORANDUM IN SUPPORT re <u>36</u> Memorandum in Support, by Doron Feldman (Attachments: # <u>1</u> Certificate of Service)(Andreozzi, Randall) (Entered: 07/28/2017) |

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| 08/04/2017 | <u>49</u> | RESPONSE to Motion by USA as to Doron Feldman re <u>21</u> MOTION APPLICATION FOR WRIT OF EXECUTION <i>SUPPLEMENTAL RESPONSE OF THE UNITED STATES TO DEFENDANT'S MOTION TO VACATE THE WRIT OF EXECUTION</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B 1-12, # <u>3</u> Exhibit B 13-23, # <u>4</u> Exhibit B 24-36, # <u>5</u> Exhibit B 37-46, # <u>6</u> Exhibit B 47-54)(Robinson, Kevin) (Entered: 08/04/2017) |
| 08/23/2017 | <u>50</u> | MOTION for Reconsideration re <u>46</u> Order on Motion for Discovery, Order on Motion for Miscellaneous Relief,,,, by Doron Feldman. (Andreozzi, Randall) (Entered: 08/23/2017) |
| 08/25/2017 | <u>51</u> | RESPONSE to Motion by USA as to Doron Feldman re <u>50</u> MOTION for Reconsideration re <u>46</u> Order on Motion for Discovery, Order on Motion for Miscellaneous Relief,,,, <i>RESPONSE OF THE UNITED STATES TO DEFENDANT'S MOTON FOR RECONSIDERATION OF THE COURT'S JULY 17, 2017 DECISION AND ORDER</i> (Robinson, Kevin) (Entered: 08/25/2017) |
| 09/05/2017 | <u>52</u> | DECISION AND ORDER. Feldman's Motion for Reconsideration <u>50</u> and Motion to Stay the Execution and Levy <u>28</u> are DENIED. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 9/5/2017. (Attachments: # <u>1</u> Supplement Restoration Request)(AFM) (Entered: 09/05/2017) |
| 09/14/2017 | <u>53</u> | MOTION APPLICATION FOR WRIT OF CONTINUING GARNISHMENT by USA as to Doron Feldman. (Robinson, Kevin) (Entered: 09/14/2017) |
| 09/14/2017 | <u>54</u> | NOTICE OF APPEAL as to <u>52</u> Order on Motion for Reconsideration, Order on Motion for Miscellaneous Relief. Filing fee \$ 505, receipt number 0209-2889449. Appeal Record due by 11/3/2017. (Andreozzi, Justin) (Entered: 09/14/2017) |
| 09/18/2017 | <u>55</u> | Instructions to debtor/Clerk's notice of post judgment garnishment (TF) (Entered: 09/18/2017) |

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| 02/18/2015 | <u>2</u> | INFORMATION as to Doron Feldman (1) count(s) 1. (BK) (Entered: 02/19/2015) |
| 02/18/2015 | <u>3</u> | PLEA AGREEMENT as to Doron Feldman. (BK) (Entered: 02/19/2015) |
| 02/18/2015 | 4 | Minute Entry for proceedings held before Hon. Frank P. Geraci, Jr.;Plea Hearing as to Doron Feldman held on 2/18/2015. Defendant waives Indictment and enters a plea of guilty to Count 1 of the Information, filing a false 2012 tax return. Defendant moves for sentencing. Court sentences defendant in a combined conviction with 14-cr-6092 to 24 months to BOP with a period of 2 years supervised release. Court waives any fine, orders restitution in the amount of \$157,561 plus interest and imposes a \$100 special assessment fee. Court will allow self-surrender and will request that the USMS recommend placement in a facility close to the Buffalo area. Appearances: R. Resnick, AUSA; D. Oliverio, counsel with defendant; R. Dutta, Esq.; K. Chartier, USPPPO. (Court Reporter CM.)(MC) (Entered: 02/19/2015) |